

# Congress of the United States

Washington, DC 20515

May 8, 2002

The Honorable Tom Scully  
Administrator  
Centers for Medicaid and Medicare  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Administrator Scully:

We are writing to express concerns about the State of Washington's 1115 Waiver application pending before the Centers for Medicare and Medicaid Services (CMS). We remain concerned about the waiver's impact on children, the lack of public process in developing the proposal, and the efforts of the state to tie the waiver to Proshare funding.

In November 2001, the State of Washington submitted an 1115 Waiver application to CMS. On January 25, 2002, CMS responded to the State by asking them to include a detailed description of the proposal, including financial information on the demonstration request, details on the state's public process, and identification of the exact populations that will be affected by using SCHIP funds for adults. Recently, the State submitted a preliminary draft concept proposal to CMS. We are pleased to see improvements to maintain early and periodic screening, diagnosis and treatment (EPSDT) requirements and protections for children with chronic conditions. While some changes have been made, we remain concerned that the state's application does not provide sufficient information on the changes the State is proposing.

As you know, Washington state has led the nation in providing health care for children by electing to pay for various Medicaid options that expanded coverage, resulting in increased access and improved health outcomes at the lowest costs. For example, emergency room visits and hospitalization rates have decreased dramatically over the past decade. Not only will cuts in health care as a result of this waiver be more costly in the long run, but it will also diminish the quality of life for the children our State should be investing in for the future.

As Washington state works to address its budget shortfall, we believe that the children who need quality care the most should not suffer. The waiver application has raised questions about whether or not the safety net for children will be there for low-income families during these hard economic times. For these reasons; we believe it is critical that a full evaluation assessing the waiver's impact on children be required as part of the proposal.

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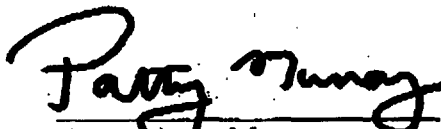
Specifically, we would like assurance from the State on the following issues:

- Waiting lists or enrollment caps will not apply to children,
- Children in the same family receive the same services and benefits,
- A guarantee that no child loses Medicaid coverage due to premiums or co-pays, SCHIP funds should be used for children first, those that qualify in the expanded program and those below 200% of the poverty level. Any expansion of SCHIP should be used to cover families but not adults with no dependent children.


Furthermore, concerns have been raised about the lack of public hearings and opportunity for public participation on the proposed waiver. We encourage you to ensure that the public has significant opportunity to review and comment on this proposal. After reviewing the revised concept paper outlining the State's proposed waiver, we are disappointed that the State no longer proposes a requirement that the Legislature approve the waiver. We urge you to maintain approval by the Legislature as part of the proposal due to its broad impact on children and their families. Due to the broad nature of this waiver, the people we represent should be able to discuss the changes the State is proposing with their locally elected officials.


Finally, the State's preliminary draft concept states that the waiver is dependent on approval of the State's Proshare federal claim. We disagree. Proshare and the waiver request are independent issues and their merits should be considered separately.

Thank you for your consideration of our requests. We look forward to the opportunity to discuss how we can work together to maintain the gains we have achieved for children. If you have any questions, please feel free to contact us directly.

  
Senator Patty Murray

  
Senator Maria Cantwell

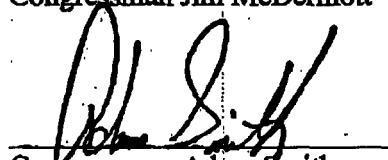
  
Congresswoman Jennifer Dunn

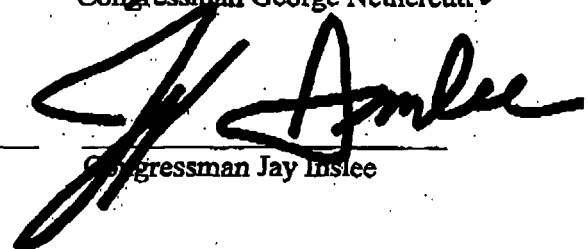
  
Congressman Norm Dicks

  
Congressman Jim McDermott

  
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